

OPINION 1079

AGLAJA RENIER, [1807]; *A. DEPICTA* RENIER, [1807]
AND *A. TRICOLORATA* RENIER, [1807]
(MOLLUSCA: GASTROPODA)

RENDERED AVAILABLE UNDER THE PLENARY POWERS

RULING.—

(1) Under the plenary powers:

- (a) the generic name *Aglaja* Renier, [1807], and the two specific names, *depicta* Renier, [1807], as used in the binomen *Aglaja depicta*, and *tricolorata* Renier, [1807], as used in the binomen *Aglaja tricolorata*, are hereby deemed to be published and nomenclaturally available from their use by Renier, [1807], *Tavole per servire alle Classificazione e Connescenza degli Animali*, a work previously placed on the Official Index of Rejected and Invalid Works in Zoology with the Title Number 49;
- (b) the two generic names *Doridium* Meckel, 1809, and *Acera* Cuvier, 1810, are hereby suppressed for the purposes of the Law of Priority, but not for those of the Law of Homonymy;
- (c) the family name AGLAJIDAE Pilsbry, 1895 (type-genus *Aglaja* Renier, [1807]), is hereby ruled to be available from 1847, the date of its senior subjective synonym DORIDIINAE Gray, 1847, rejected in (5) (b) below.

- (2) The family name AGLAJIDAE Pilsbry, 1895 (1847), as ruled under the plenary powers to be available in (1) (c) above (type-genus *Aglaja* Renier, [1807] (Gastropoda, Opisthobranchia), is hereby placed on the Official List of Family-Group Names in Zoology with the Name Number 485.
- (3) The generic name *Aglaja* Renier, [1807] (gender, feminine) (type-species by subsequent designation by Suter, 1913: *Aglaja tricolorata* Renier, [1807]), as ruled under the plenary powers to be available in (1) (a) above, is hereby placed on the Official List of Generic Names in Zoology with the Name Number 2044.
- (4) The following specific names are hereby placed on the Official List of Specific Names in Zoology with the Name Numbers indicated:
 - (a) *depicta* Renier, [1807], as published in the binomen *Aglaja depicta* (specific name of the type-species of *Aglaja* Renier, [1807]) as ruled under the plenary powers to be available in (1) (a) above (Name Number 2602);
 - (b) *tricolorata* Renier, [1807], as published in the binomen *Aglaja tricolorata*, as ruled under the plenary powers to be available in (1) (a) above, and defined by the neotype designated by Lemche, 1974. *Bull. zool. Nomencl.* vol.

31: 196-198 (specific name of type-species of *Aglaja* Renier, [1807]) (name Number 2603).

- (5) The following family-group names are hereby placed on the Official Index of Rejected and Invalid Family-Group Names in Zoology with the Name Numbers indicated:

- (a) AGLAINAE Swainson, 1837 (nomenclaturally unavailable because not based on the name of an included genus) (Aves) (Name number 480);
- (b) DORIDIINAE (correction of DORIDIINA) Gray, 1847 (type-genus *Doridium* Meckel, 1809) (objectively invalid because the name of its type-genus has been suppressed under the plenary powers in (1) (b) above) (Mollusca) (Name Number 481).

- (6) The following generic names are hereby placed on the Official Index of Rejected and Invalid Generic Names in Zoology with the Name Numbers indicated:

- (a) *Doridium* Meckel, 1809, and (b) *Acera* Cuvier, 1810 (suppressed under the plenary powers in (1) (b) above for the purposes of the Law of Priority but not for those of the Law of Homonymy) (Mollusca) (Name Numbers 2080 and 2081 respectively);
- (c) *Aglaja* Eschscholtz, 1825 (a junior homonym of *Aglaja* Renier, [1807]) (Coelenterata) (Name Number 2082);
- (d) *Aglaja* Brady, 1863 (a junior homonym of *Aglaja* Swainson, 1827) (Crustacea) (Name Number 2083).

[The following generic name asked by the applicant to be placed on the Official Index of Rejected and Invalid Generic Names in Zoology has already been placed on the Index with Name Number 578: *Aglaja* Renier, [1804] (not nomenclaturally available because included in a work rejected for nomenclatural purposes in Opinion 316) (Mollusca)]

HISTORY OF THE CASE (Z.N.(S.) 1092)

In Opinion 427 issued by the International Commission on Zoological Nomenclature, 1956, *Opin. Decl. int. Commn zool. Nomencl.* vol. 14: 283, the work by Renier, [1807], *Tavole per servire alle Classificazione e Conoscenza degli Animali* was rejected for the purposes of nomenclature, with the provision that the future status of certain names used therein, including *Aglaja* Renier, was reserved for further consideration. In anticipation of the rejection of Renier's work, Dr. H. Lemche (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) wrote to the office of the Commission in October 1954 concerning the name *Aglaja* Renier, [1807]. The following month Dr. Lemche submitted an application asking that the plenary powers be used to make available the generic name *Aglaja* Renier, [1807] and the two specific names *depicta* Renier, [1807] and *tricolorata* Renier, [1807], as published in combination with *Aglaja*. A similar

application asking that *Aglaja* Renier, [1807], and its type-species be made nomenclaturally available, was received from Professor N.T. Mattox (then of *University of Southern California, Los Angeles, U.S.A.*). After some correspondence on the matter it was agreed that Dr. Lemche and Prof. Mattox would co-operate in formulating their proposals. The case then lapsed and in 1960 Prof. Mattox died. A renewed application was submitted to the office of the Commission by Dr. Lemche on 13 December 1971; was sent to the printer on 13 April 1972; and was published on 30 November 1972 in *Bull. zool. Nomencl.* vol. 29: 127-130. Public Notice of the possible use of the plenary powers in the present case was given in the same part of the *Bulletin*, as well as to the other serial publications prescribed in the Constitution, Article 12 (b) and to three malacological serials.

The proposals were supported by Dr. M. Edmunds (*University of Ghana, Legon, Ghana*) and by Dr. Myra Keen (*Stanford University, California, U.S.A.*). Comments were received from Dr. C.W. Sabrosky (*Bull. zool. Nomencl.* vol. 30: 132) and from Professor P.C. Sylvester-Bradley (*ibidem*: 133). Dr. R. Burn (*3 Nantes Street, Newtown, Geelong, Victoria, Australia*) provided further important information which was not published separately but was incorporated into revised proposals submitted by Dr. Lemche on 30 May 1974; sent to the printer on 27 August 1974; and published on 31 December 1974 in *Bull. zool. Nomencl.* vol. 31: 196-199. A comment on the revised proposals was received from Dr. W.O. Cernohorsky (*Bull. zool. Nomencl.* vol. 33: 3) who after further correspondence stated that he wished to withdraw his objection. Additional information provided by Dr. Cernohorsky resulted in minor amendments by Dr. Lemche (*Bull. zool. Nomencl.* vol. 33: 3) to his revised proposals.

DECISION OF THE COMMISSION

On 22 September 1976 the members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (76) 15 for or against the revised proposals set out in *Bull. zool. Nomencl.* vol. 31: 198-199, and amended in vol. 33: 3. At the close of the Voting Period on 22 December 1976, the state of the voting was as follows:

Affirmative votes - nineteen (19), received in the following order: Melville, Eisenmann, Mroczkowski, Holthuis, Vokes, Willink, Lemche, Brinck, Rohdendorf, Tortonese, Habe, Binder, Corliss, Sabrosky, Starobogatov, Bayer, Welch, Nye, Kraus

Negative vote - one (1): Dupuis.

A late affirmative vote was returned by Alvarado. Voting papers were not returned by Bernardi, Heppell, and Ride.

The following comments were sent in by members of the Commission with their Voting Papers:

Dr. Holthuis: The Commission cannot validate (i.e. declare valid) names, but it can declare them available, which is, I believe, what Dr. Lemche wants. With this restriction I vote for the proposal.

Prof. Binder: I vote for the proposals except 2(a) & (b), and 6(b) & (c), concerning the suppression of *Doridium* Meckel, 1809, and *Acera* Cuvier, 1910. These are junior subjective synonyms; the Commission is not competent to pronounce on their validity.

Dr. Dupuis: Je vote contre, entendant par là voter contre la hâte de publier une Opinion. En effet:

(1) Depuis la requête initiale (*Bull. zool. Nomencl.* vol. 29: 127-130) des auteurs autres que le requérant lui ont signalé: une désignation de type; deux espèces d'*Aglaja*; un auteur plus ancien pour AGLAJIDAE; et un auteur plus ancien pour DORIDIINAE. Cela rend assez probable la découverte d'autres omissions ejusdem farinae.

(2) L'irritante question des homonymies des noms, spécifiques ou génériques, de même étymologie et ne représentant que des graphies variables est insuffisamment couverte par le Code; Lemche le souligne très bien (*ibidem* vol. 29: 128).

Dr. Nye: I vote against proposals 2(a) & (b) which ask unnecessarily for the suppression of two junior subjective synonyms; and against proposals 6 (b) & (c) asking for them to be placed on the Official Index.

ORIGINAL REFERENCES

The following are the original references for the names placed on the Official Lists and Indexes by the Ruling given in the present Opinion: *Acera* Cuvier, 1810 *Annls Mus. Hist. nat. Paris*, vol. 16: 9. *Aglaja* Brady, 1867, in Folin & Périer, *Fonds Mer* vol. 1: 89.

AGLAINAE Swainson, 1837, *Nat. Hist. Classific. Birds* vol. 2: 275 (in Lardner's Cabinet Cycloped. 92).

Aglaja Renier, [1807], *Tavole serv. Class. Conn. Anim.*: Tav. VIII.

Aglaja Eschscholtz, 1825, *Isis (Oken)* vol. 16: 743.

AGLAJIDAE Pilsbry, 1895, in Tryon, *Manual Conch.* vol. 16: 43. *depicta*, *Aglaja*, Renier, [1807], *Tavole serv. Class. Conn. Anim.*: Tav. VIII.

DORIDIINAE Gray, 1847, *Proc. zool. Soc. Lond.* vol. 1847: 161. *Doridium* Meckel, 1809, *Beytr. vergl. Anat.* vol. 1(2): 33.

tricolorata, *Aglaja*, Renier, [1807], *Tavole serv. Class. Conn. Anim.*: Tav. VIII.

The following is the reference to a designation of a type-species for a nominal genus accepted in the present Opinion: for *Aglaja* Renier, [1807], of *Aglaja tricolorata* Renier, [1807], by subsequent designation by Suter, 1913, *Manual New Zealand Moll.*: 542.

CERTIFICATE

We certify that the votes cast on Voting Paper (76) 15 were cast as set out above, that the proposals contained in that Voting Paper have been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission on Zoological Nomenclature, is truly recorded in the present Opinion No. 1079.

I.W.B. NYE

Assistant Secretary

R.V. MELVILLE

Secretary

International Commission on Zoological Nomenclature

London

14th February, 1977.